

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 1 Training of Child Welfare Workers and Juvenile Probation Workers

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held October 17, 2007, as follows:

October 17, 2007
Office Building # 9
744 P St. Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on October 17, 2007.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are attached/available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Office of Regulations Development
California Department of Social Services
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CHAPTERS

Manual of Policies and Procedures Division 14 (Staff Development and Training), Chapter 14-600 (Training Programs), Section 14-610 (Training for New Social Service Workers) and Section 14-611 (Training for Child Welfare Workers, Child Welfare Supervisors, and Juvenile Probation Officers and Supervisors Responsible for Title IV-E Placement Activities); Chapter 14-900 (Training Records), Section 14-915 (Additional Child Welfare Department Requirements) and Section 14-916 (Probation Officers).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulations encourage county welfare departments to provide training to newly hired, transferred, or promoted employees to social services positions. The regulations specify “training should be provided within 90 calendar days from the date of employment or significant change in job duties” and indicate what “may” be included in the training.

While existing regulations require continuing training, they do not specify the number of hours of training. Current regulations require counties to maintain training records. However, the counties are not required to maintain them for the new required training and training completion time frames.

Currently, the Department of Corrections and Rehabilitation requires all juvenile probation officers and supervisors receive annual training. However, these regulations do not specify training in child welfare services for those probation officers and supervisors who provide placement services to Title IV-E placement wards.

In 2001, the Administration for Families and Children cited CDSS for not having a statewide training program. As part of the implementation of California’s federally required Program Improvement Plan, the CDSS agreed to establish mandatory standardized core training for child welfare workers and supervisors and a minimum number of hours of continuing training for child welfare workers and supervisors.

These proposed regulations will also require that juvenile probation officers and supervisors, who provide placement services to Title IV-E placement wards, receive training in child welfare services as a part of their annual training.

These proposed regulations are in accord with Title 45 Code of Federal Regulations Section 1357.15(t), Welfare and Institutions Code Section 16206, and the Title IV-B Program Improvement Plan, as they recognize the need for statewide coordinated training in child welfare services for those individuals providing services to children and the need to maintain records regarding such training.

Failure to comply with these regulations may result in adjustments to the county's Titles IV-B and IV-E claims.

COST ESTIMATE

1. Costs or Savings to State Agencies: Expenditures of approximately \$7.356 million in FY 2007-08, which matches the estimated amounts in the Governor's FY 2007-08 budget.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact exists because this regulation does not affect any local entity or program.
4. Federal Funding to State Agencies: Expenditures of approximately \$10.624 million in FY 2007-08, which matches the estimated amounts in the Governor's FY 2007-08 budget.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not school districts. There are "state-mandated local costs" in these regulations which require state reimbursement under Sections 17500 et seq. of the Government Code because any costs associated with the implementation of these regulations are costs mandated by the federal government and funded in part by the federal and state governments.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553 and 10554. Subject regulations implement and make specific 45 CFR 1357.15(t) and Welfare and Institutions Code Section 16206.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

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